

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

HAZEL WALSH,

Plaintiff,

v.

KINDRED HEALTHCARE,

Defendant.

No. C 11-00050 JSW

**ORDER REGARDING
PLAINTIFFS' MOTION FOR
LEAVE TO CONDUCT
DISCOVERY**

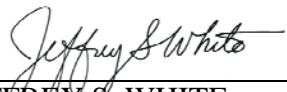
Now before the Court is the motion to for leave to conduct expedited discovery filed by plaintiffs Arlene Bettencourt and Harry Harrison ("Plaintiffs"). This matter is now fully briefed and ripe for decision. The Court finds that this matter is appropriate for disposition without oral argument and the matter is deemed submitted. *See* N.D. Civ. L.R. 7-1(b). Accordingly, the hearing set for August 26, 2011 is VACATED. Having carefully considered the parties' arguments and relevant legal authority, the Court hereby grants Plaintiffs' motion for leave.

Plaintiffs rely on *Semitoool, Inc. v. Tokyo Electron America, Inc.*, 208 F.R.D. 273, 276 (N.D. Cal. 2002) as support for their request to conduct such expedited discovery. The Court in *Semitoool* held that expedited discovery may be allowed upon a showing of good cause, and that "[g]ood cause may be found where the need for expedited discovery, in consideration of the administration of justice, outweighs the prejudice to the responding party. *Id.* The key issue for the court was not whether the requested discovery was relevant, but instead, whether there was "good cause to provide immediate access to the requested discovery rather than postponing its ultimate production during the normal course of discovery." *Id.* The Court finds that Plaintiffs

1 have made the requisite showing of good cause. Accordingly, the Court HEREBY GRANTS
2 Plaintiffs' motion to conduct discovery. However, the Court declines to examine Plaintiffs'
3 specific discovery requests. To the extent the parties are unable to resolve disputes regarding
4 specific discovery requests, pursuant to Civil Local Rule 72-1, the Court HEREBY REFERS
5 this matter to a randomly assigned magistrate judge for resolution of such discovery disputes
6 and for resolution of all discovery matters.

7 **IT IS SO ORDERED.**

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9 Dated: August 24, 2011



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

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12 cc: Magistrate Referral Clerk
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